

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
ANDREW LEBENNS,	:	
	:	21 Civ. 11155 (LGS)
Plaintiff,	:	
	:	
-against-	:	<u>ORDER</u>
	:	
FROST PRODUCTIONS, et al.,	:	
Defendants.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, the initial pretrial conference in this matter is scheduled for March 23, 2022. (Dkt. No. 15.)

WHEREAS, no significant issues were raised in the parties' joint letter or proposed case management plan. (*See* Dkt. Nos. 19, 21.) It is hereby

ORDERED that the March 23, 2022, initial pretrial conference is **CANCELLED**. If the parties believe that a conference would nevertheless be useful, they should inform the court immediately so the conference can be reinstated. The case management plan and scheduling order will issue in a separate order. It is further

ORDERED that by **March 31, 2022**, given the lenient standard for conditional certification, *see Varghese v. JP Morgan Chase & Co.*, Nos. 14 Civ. 1718, 15 Civ. 3023, 2016 WL 4718413, at *5 (S.D.N.Y. Sept. 9, 2016) ("Plaintiff's burden is minimal because the determination that the parties are similarly situated is merely a preliminary one" (quoting *Lee v. ABC Carpet & Home*, 236 F.R.D. 193, 197 (S.D.N.Y. 2006))), the parties shall meet and confer and file a letter apprising the Court of whether the parties will stipulate to conditional certification and the form of notice, reserving all of Defendants' rights to object to any final certification under the more rigorous standard that applies at that stage. It is further

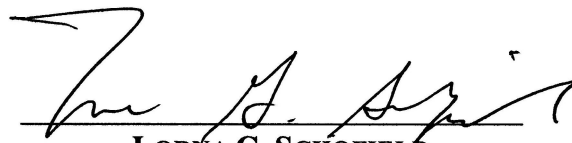
ORDERED that, if the parties cannot agree, Plaintiff shall file any pre-motion letter on the motion for conditional certification by **April 7, 2022**. Defendants shall file any response by **April 14, 2022**. It is further

ORDERED that, if Defendants seek to file a motion to dismiss, they shall file a pre-motion letter pursuant to Individual Rules III.A.1 and III.C.2. It is further

ORDERED, regarding settlement discussions, if and when the parties are ready to proceed with a settlement conference with the assigned Magistrate Judge or mediation in the Court's mediation program, they shall file a joint letter on ECF requesting a referral.

The parties should be aware that the Court does not extend the deadlines for fact and expert discovery absent compelling circumstances.

Dated: March 23, 2022
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE